



Crl.O.P.No.2202 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.2202 of 2024

Thangaraj

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
R-5, Virugambakkam Police Station,
Chennai.

(Crime No.21 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.21 of
2024 on the file of the respondent on such terms and conditions.

For Petitioner : Mr.P.Sundara Rajan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

A memo has been filed to record the date of remand since that had been omitted to be mentioned in the petition. The memo is recorded and it is seen from the memo that the date of remand is dated 11.01.2024. The Registry, before issuing order copy may mention the date of remand as 11.01.2024.

2.The petitioner in Crime No.21 of 2024, registered by the respondent for the offences under Sections 24(1) of COTPA Act, 2003 and Sections 272, 273, 328 of IPC r/w Section 77 of JJ Act, 2015, seeks bail. The petitioner had been remanded to custody on 11.01.2024 with possession of 5kgs of banned tobacco products.

3.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai, and on



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further conditions that: -

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

07.02.2024

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C.V.KARTHIKEYAN. J.
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To

1. The XXIII Metropolitan Magistrate Court, Saidapet, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
R-5, Virugambakkam Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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